G R S App 4 IX 4]

1942-43 (municipal)

Int File No 109-42

Serial Nos 12-14

Previous References

Int 6-35 (7-11)
Int 30-36 (1-2)

Later References

Int 51-63 (1-2)
41-46 (11,12)

GENERAL AND REVENUE SECRETARIAT

Serial Nos None

Part B for June 43

SUBJECT

Removal of Mr D. Lodaparnama from his membership of Shikarpur Town Municipal Council for misconduct in the discharge of his duties

I (Ile) To the Commissioner Hyderabad, No L 118578 5-6 43
Notifies the above

Jal 26/2/43

From The D C Shimoga Dt
Letter no M.B.C 1907/42-43 18 8 1943, recommends
That Mr D Siddaramappa be removed from the
Shikarpur Municipal Council for misconduct
appr Sec 14 of Municipalities Act 1933

The facts of the case are as follows -

p.4 D

Mr D Siddaramappa, a Member of the Shikarpur
Town Municipal Council was entrusted with the
work of Supervising the Collection of taxes in the
Jatra of Sri Antchanagathwamy temple in the town,
During May 1941 this was done in accordance
with the resolution of 12 4 41 of the Municipal Council

D'

The above Member is alleged to have
Collected a ground rent of Rs 7/- from 7 country
veg Shops at Re 1/- each, from one Lakshmappa
whilst he gave a receipt for Only Rs 2/- through
the Municipal Shanbhogue Vittoba Rao

'D'

On a written Complaint from Mr Lakshmappa
one of the Seven Shopkeepers, the Case was taken up
by the President for investigation being pressed
by certain Municipal Councillors in writing

L

A Committee was constituted to examine the
question

Ex 15 6 19

'S'

The Committee, after examining the
allegation have opined that Mr Siddaramappa
is guilty This was considered in the Council
who resolved That the question may be dropped

if Sri Siddaramappa tendered an apology for his misconduct the party having failed to do so within the stipulated time, the Council has finally resolved that Sri Siddaramappa may be removed from the Municipal Council under Sec 14 of the T-M Act

'W'

'V' & P U S

5 The Amildar President and the D C are requested to agree with the Resolution of the Municipal Council. The report of the select Committee and the explanation of Sri Siddaramappa are for perusal and orders.

'S'

T

Sd/-
24/9/43

6 There are some precedents in which action to remove certain municipal councillors from membership has been taken under sec 14 of the T M Act 1933 in the past. Pl put up the file 6-3511 relating to the removal of Mr Azeezullah from the membership of the Sira Town Mly. Another member named Mr Devaraja was also removed from the membership of the Lingapatam Town Mly. Put file may also be kept ready for perusal

Sd/-
24/9/43

Pl 6 3511

7 The collection leading to the removal of Sri Azizullah Khan from Sira Municipal Council is put up. The other one is not readily traceable. From the discussions in the above collection, it would appear necessary to give an opportunity to Sri Siddaramappa also to be heard by the D.C.

Sd/-
29/9/43

Pl bring up the file relating from 1934-35 onwards

Sd/-
28/9/43

9 The facts of the case are set forth in paras 1 to 5 of the notes supra

Under sec 111 of the Mysore Town Municipalities Act 1933 the Govt, if it thinks fit on the recommendation of the Mbl may remove any councillor elected or nominated under this Act after giving him an opportunity of being heard and after such enquiry as it deems necessary, if such councillor has been guilty of misconduct in the discharge of his duties

10) In this case, all the requirements of the above section are satisfied

11 (1) The District Commissioner from Tumkur has recommended the removal of Mr Lingappa — an elected councillor — from the membership of the Mbl (2) He is guilty of misconduct in the discharge of his duties as will be seen from the D.C's report

11 Kind reference is invited to the precedents (vide 6-95 7 8, 9, 10 M) wherein one, Mr Azeezullakhan was removed from the membership of the Tumkur Mbl in the year 1931

Alleged misappropriation — Claims vs
Mr D S Siddaramaiah — elected MLA Shikaripur Town
Shikaripur Town

12) The point for consideration therefore is whether Mr Siddaramaiah may be given an opportunity of being heard, as contemplated in the aforesaid section

13) It may however be stated that the evidence available in the records justifies the action recommended by the Lokayukta independent of the proceedings to be taken against him

14) For orders
Law secy
26/4/93

1/9461
3/4/93

15) He has the given an opportunity of being heard before orders are passed

Minister SS

Law secy
3-4-93
for 26/4/93
Secy
14-4-93
Law
15-4-93

16)

17) Pl prepare draft letter to Mr Siddaramaiah for 15-4-93

OFFICE OF THE MINISTER FOR L S G & P H
Date 23 4 93
No 8322

18) Draft letter to Mr Siddaramaiah

19) A draft notice to Mr D Siddaramaiah is put up for approval 15th May 1993 is fixed as the date for appearing before the Minister for PH A. The P A will be required to state up this date would be convenient.

20) The P. A to minister of PH will state up the above date with the consent of Mr Siddaramaiah
Law secy
26/4/93
Secy
29-4-93
Min 27-4-93

12/5/93

Removal of Mr Siddaramanna from Shiriyahalli MC
5689/L

Continuation Sheet | **File No / Current No** | **of** | **Page**

OY 12903
OVT 1 1 JUL 1943

Draft with the signature if approved
and sent for 29/5/43
CAS 30/5/43
Attendance
for 30/5/43

PI ION
30 APR 1943
CTT

No L 10675/B 30 4-43, issues a notice to Mr Siddaramanna to appear before the Minister A S & P H and to show cause why he should not be removed from the Municipal Council
No L 10676/B 30/4/43 the copy to Shimoga

For kindly submitting the file to the Minister, if the said municipal Councillor ~~[illegible]~~ appears before the Minister today. (15 5 43)

Personal staff to the Minister for 15/5/43

OFFICE OF THE MINISTER FOR L S G & P H
Date 15 5 1943
No 9526

Mr Siddaramanna may be removed from his membership as resolved by the Council. He has not availed the opportunity given to him to be heard
L
19 5 43

CAS
20-5-43
Draft for Notification
for 20/5/43

Submit draft S.O. & Notfn for appl
24/5

WD 1140—GPB—50 000—5-11-42

Removal of Mr Siddaramaiah from the Distribution Mill.

Continuation Sheet | File No / Current No | of | Page

The draft G.O. and the draft notn are for approval

Law Secy) for
26/5/43

Make it so

26/5/43

Pl bring up

26/5/43

A Revised draft G.O. is submitted for appl

Law Secy

27/5/43

26/5/43.

Issue both the G.O.

28/5/43

G.O. No L 1189-50/43 dated 26-5-43

Secretary. The recommendation of the D.P. Minister-in-charge Shri Siddaiah.

Controller-in-Chief

G.O. No L 1189-50/43 dated 26-5-43 orders the removal of Siddaramaiah from Membership of Law Committee

D.P. Shri Siddaiah

LAW DEPT 14080 26/5 OF MYSORE

SECY LAW DEPT 14238 28/5/43 GOVT OF MYSORE

29 MAY 1943 GEN & SECTT

GOVERNMENT OF MYSORE

Telegraphic Address By Regd post

OFFICE OF
the Deputy Commissioner,
Shimoga District,
Shimoga,

No M 3 C 1907/42-43
Encls File of records

Date 18th March 1943

To

The Secretary to the Government of
His Highness the Maharaja of Mysore,
Law Department, Bangalore

Sir,

Subject - Alleged case of misappropriation - against one Mr D Siddaramananna - Elected Municipal Councillor - Shikaripur Town Municipal Council

---

In forwarding herewith in original, the entire file of correspondence received from the President, Shikaripur Town Municipal Council, ending with his report No M c 253/40-41 dated 10-9-1942 on the above subject I have the honour to state as follows -

2 Mr Siddaramanna, an elected member of the Shikaripur Town Municipal Council, was appointed (by the Municipal Council), as one of the supervising members, to look after the collection work of octroi, ground rent etc , during the Jatra of Sri Hutcharayaswamy temple of Shikaripur Town, held under the management of the Municipalit in May 1941 After the closure of the Jatra, a complaint petition signed by one Lakmappa, Huggeppa of Madleri village was received on 31-5-41 by the then Amildar President Mr K S Krishnaji Rao, alleging that the supervising member Mr D Siddaramanna collected Rs 7/- from the petitioner towards the tax on the seven country blanket's shops and that a receipt for Rs 2/- only was issued to him

3 The Amildar President after making confidential enquiry and recording the statements of the concerned parties paased orders on 8-8-41 to the effect that the question of taking further proceedings might be dropped in view of the fact that no positive evidence was forthcoming against Mr D Siddaramanna

4 While the question was at this stage, a requisition signed by nine Municipal Councillors, was presented to the President of the Municipality requesting him to pass orders after taking necessary

necessary evidence in regard to the allegations made in the complaint petition referred to above This aspect of the question was considered by the Municipal Council at their meeting held on 13-10-41 At the meeting so held, the Municipal Council appointed a Special Committee of five members to go into the question, to record the necessary evidences and to submit a report of enquiry for the consideration of the Council, in as much as this is a matter of high importance relating as it does, to the finances of the Municipality and to the conduct of one of the councillors

5 In pursuance of the aforesaid resolution of the Municipal Council, the special committee examined as many as 8 witnesses and submitted their report of enquiry to the Municipal President on 6-5-1942, with the finding that Mr D Siddaramanna (Municipal Councillor) was guilty of misappropriation

6 The Municipal Council after going through the records of of enquiry, agreed with the findings of the special committee and passed a resolution at their meeting held on 27-7-42 to the effect that Mr D Siddaramanna be excused and the matter be dropped on his tendering an apology in writing within eight days of the service of notice on him and on the amount of Rs 5/- being recouped As the Municipal Member Mr D Siddaramanna did not comply with the terms of the above said resolution, inspite of service of notice on him, the question was finally considered by the Municipal Council at their meeting held on 7-9-42 They arrived at the conclusion that the act of Mr D Siddaramanna in receiving the sum of Rs 7/- from the kambli shop merchants and misappropriating Rs 5/- out of the said amount amounted to misconduct in the discharge of his legal duties and was also a disgraceful conduct, within the meaning of Section 14 of the Town Municipalities Act 1933 The Council have further resolved that it is desirable to remove Mr Siddaramanna, from his membership on the Municipal Council

The Amildar President supports the resolution of the Municipal Council

Yr

7 I may state in this connection that under section 14 of the Town Municipalities Act, questions of the above kind will have to be disposed of by Government I agree with the findings of the Municipal Council and I am of opinion that disciplinary action is called for and that Mr D Siddaramanna may be removed from his membership of the Shikaripur Shikaripur Town Municipal Council, for misconduct under Section 14 of the Town Municipalities Act, 1933

I have the honour to be,
Sir,
Your most obedient servant,

18/3/49

Deputy Commissioner,
Shimoga District

Appendix F G —1]

SUBJECT

Diary No of letter replied to

General and Revenue Secretariat

( )

the *194*

Date of issue 20/4

Signed by Mr G R Rao

List of enclosures

Coded by

Examined by

Section

File No

Serial No

No L 10675

Notice

To

Mr D Leddaramanna

Municipal Councillor

Shikaripur

Shimoga Distt

Mr D Leddaramanna,

Municipal Councillor, Shikaripur

Town Fd/Cd is hereby informed that the Local Municipal Council have recommended to Govt that he maybe removed from the membership of the municipal Council, for misconduct under sec 14 of the Mysore Town Fd/Cds Act 1933 He is

therefore directed to appear
before the Minister L&J & P.H
in the Public Offices, Bangalore
at 3 P.M on the 15th Magh 1903 and
show cause as to why he should not
be removed from the membership of
the Tumkur municipal council

B

for Secy to Govt
Law Deptt

Enclosure no L0676 dt 30/4
copy forwarded to the D.C Shimoga Deptt
for infn, with ref to his letter no
M3C 1907/42-3 dt 18/8/03 (for information)

B O
for
Secy to Govt
Law Deptt

G R S App F VI—G 2]

SUBJECT

Diary No of letter replied to

General and Revenue Secretariat

( )

the 19

Date of issue 5/6 19

Signed by M. S. Rao

May this be—

(i) printed?

(ii) treated as a standing order?

(iii) published in the Gazette English Part?

(iv) translated?

(v) placed at the disposal of the Press?

(vi) published in the Gazette Kannada Part?

Section Rl.

File No 109-42

Serial No 13

Proceedings of the Government of His Highness the Maharaja of Mysore

Read—

Letter No. 173 C 1907/42-3 dated 15.3 1943, from the D.C. Shimoga Dt, recommending the removal of Mr D. Siddaramanna from the membership of the Shikarpur Town Municipal Council, on account of his conduct in the discharge of his duties as evolved by the said Municipal Council.

Order thereon —No

Order No R 1/849-50 Dated.

Mr D. Siddaramanna, elected member of the Shikarpur Town Municipal Council was appointed as one of the supervising members to look after the collection work of

of action, grounds on during the Jatra of Sri Hutchanaza Swamy temple held in May 1941 at the place. After the closure of the Jatra, one Mr Lakmappa Huggeppa of Madden village petitioned on 8/5/1941, to the President of the Municipality alleging that Mr Siddaramanna collected a sum of Rs 7/- from him towards the tax on seven country blanket shops during the Jatra, and issued a receipt for Rs 2/- only.

A special Committee was appointed by the Municipal Council on 10/11/41 to investigate the above complaint. After recording the necessary evidence, the Committee reported that Mr Siddaramanna was guilty of misappropriation. The Municipal Council, after considering the report, agreed with the finding of the Committee and resolved on 27/7/1942, that he may be let off on tendering an apology and making good the misappropriated amount. The Member having failed to comply with the above resolution, the Council finally resolved on 7/9/1942, that he may be disqualified for misconduct, under section 33 of the T M Act.

The Deputy Commissioner, Chikmagalur District, recommended to the Deputy Commissioner, Shimoga, that Mr Siddaramanna has failed to avail himself of the opportunity given to him by the Court also to appear in person and explain his conduct. The Court therefore directed the removal from the membership of the Municipal Council under Rule 14 of the Rules T M Act 1933 for his conduct as the Chairman. Examined by us. A separate application to this effect will be published in

Mr S.

Sd/- D. C. Shimoga (sd/R)
Complied by Court

Sd/- Kaw Seng
28/5/43

PROCEEDINGS OF THE GOVERNMENT OF HIS HIGHNESS THE MAHARAJA OF MYSORE

[illegible]:-

[illegible] d [illegible] [illegible] with letter No. 3[illegible]. [illegible]16/ [illegible] dated 1[illegible].5.1943 from the Deputy Commissioner, Kolar District, [illegible] sanction to the acquisition of [illegible]/1 [illegible] 1/2 of [illegible] Kaddi Kalu village in Chintamani taluk, [illegible] the construction of a veterinary [illegible] at [illegible] pur.

[illegible] L 11822-5/RL 15-12-19

[illegible], the [illegible] 5th June 1943.

[illegible] of the properties recommended [illegible] in charge of the [illegible] Division [illegible] to perform [illegible] Deputy Commissioner under the [illegible] authorised to take order for the [illegible].

2. The declaration statement, in English and [illegible] will be forwarded to the Compiler, Mysore Gazette for publication.

3. [illegible] order section 17 of the [illegible] to proceed with the [illegible] in view of the urgency of the work for which the properties are required.

4. [illegible] of compensation will be met by the Hirebellur [illegible] Council.

For Secretary to Government,
Revenue Department.

[illegible] Deputy Commissioner, Kolar District, with records.
" Comptroller to Government of Mysore.
" Commissioner for Survey & Settlement and Land Records.
" Director of Agriculture in Mysore.

.5.

Appendix F G—1]

SUBJECT

Section MC

File No 109-42

Serial No 14

Diary No of letter replied to

No L11851

General and Revenue Secretariat

( )

the *194*

To Notification

Under section 14 of the Town Municipalities Act 1933, Govr direct the removal of Mr D. Siddarcumarana from the membership of the Shikarpur Town Municipal Council, for misconduct in the discharge of his duties as a Councillor

Date of issue 5/6

Signed by Mr G R Rao

List of enclosures

Codied by

Examined by

GOVERNMENT OF HIS HIGHNESS THE MAHARAJA OF MYSORE

No L/11851/nd

General and Revenue Secretariat,

Dated Bangalore, 5th June 1943.

NOTIFICATION

Under Section 14 of the Mysore Town Municipalities Act 1933, Government direct the removal of Mr.D.Siddarasanna from the membership of the Chikaripur Town Municipal Council, for misconduct in the discharge of his duties as a Councillor.

By Order,

Secretary to Government,
Law Department.

To

The Compiler, Mysore Gazette,
for publication in Part III - 1 of the Gazette.

GOVERNMENT OF HIS HIGHNESS THE MAHARAJA OF MYSORE

No L/1185/
ml

General and Revenue Secretariat,

Dated Bangalore, 5th June 1941.

NOTIFICATION

Under Section 14 of the Lakkur Town Municipalities Act 1933, Government direct the removal of Krishnappa from the membership of the Hiriyur Town Municipal Council, for misconduct in the discharge of his duties as a councillor.

By Order,

Secretary to Government,
Law Department.

To

The Compiler, Mysore Gazette,
for publication in Part III - 1 of the Gazette.